IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

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**WRIT PETITION NO : 9538 of 1995**

Between:

ALLWYN - Unit of Voltas Ltd., Sanatnagar, Hyderabad,
Rep. by its Vice-President and Chief Executive C.Sunder Rajan

**..... PETITIONER**

AND

1 The Hyderabad Metropolitan Water Supply & Sewerage Board,

Khairatabad, Hyderabad,
Rep. by its Managing Director.
2 The Executive Engineer, Hyderabad Metropolitan Water Supply

And Maintenance, Division No.VI, Sanjiva Reddy Nagar,
Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction of writ, more particularly one in the nature of WRIT OF MANDAMUS declaring clause 8(b) of the agreement entered into with the respondent Board as arbitrary, illegal, in violation of Section 22 of the Hyderabad Metropolitan Water Supply and Sewerage Act, in violation of Section 22 of the Sick Industrial Companies (Special Provisions) Act 1985; in violation of Clause 13(c)(2) of the BIFR Scheme dt.4/4/1994, in violation of Section 23 of the Indian Contract Act, and in violation of Article 14 of the Constitution of India and for a consequential direction to the respondents not to recover the amount of difference between the minimum charges under Clause 8(b) of the agreement dt.16/12/1991 and the actual quantity of water supplied from May, 1992 onwards.

**Counsel for the Petitioner: MR. M.S.RAMACHANDRA RAO**

**Counsel for Respondents 1 and 2: MR. S.KISHAN RAO (STANDING COUNSEL FOR HYDERABAD METROPOLITAN WATER SUPPLY & SEWERAGE BOARD)**

**The Court made the following ORDER:**

The learned Counsel appearing for the petitioner seeks permission of the Court to withdraw the writ petition.

Accordingly, the writ petition is dismissed as withdrawn.

No costs.

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**(N.V.RAMANA, J)**

Dated: 31st August, 2004.

Ksr/Ak*

To

1.The Managing Director, The Hyderabad Metropolitan Water

Supply and Sewerage Board, Khairatabad, Hyderabad.

2.The Executive Engineer, Hyderabad Metropolitan Water Supply

and Maintenance Division No.VI, Sanjiva Reddy Nagar,

Hyderabad.

3.Two CD copies.